

STATE OF NEW HAMPSHIRE
BOARD OF PHARMACY

September 20, 2006

A regular meeting of the New Hampshire Board of Pharmacy was held on **September 20, 2006** at the Board office, 57 Regional Drive, Concord, New Hampshire. The meeting was **called to order at 9:00 a.m.** with President Kristina Genovese presiding.

I. ROLL CALL - AGENDA REVIEW - ANNOUNCEMENTS

PRESENT

Kristina Genovese, President
George L. Bowersox, Vice-President
Vahrij Manoukian, Treasurer
Sandra B. Keans, Secretary
Margaret E. Hayes, Member
Ronald L. Petrin, Member

ALSO PRESENT

Paul G. Boisseau,
Executive Secretary
Peter A. Grasso,
Chief Compliance Investigator

ALSO ATTENDING

Christopher Valeri and **Francois Nyando** – Final Year Pharmacy Students at Massachusetts College of Pharmacy and Health Sciences – Manchester Campus. Guests of Commissioner Hayes.

II. REVIEW/ADOPTION OF MINUTES

Minutes of the **August 16, 2006 regular meeting** of the Board were accepted as submitted. **(Bowersox/Hayes). Voted (unanimous).**

III. LICENSING

A. Pharmacists

1. Disciplinary Hearing

a. ATOUI, Hassan M.

Dearborn Heights, MI
-NH License No. 2926
-Case File: ROI 53/06

The Board reviewed the *Notice of Hearing* issued to Mr. Atoui on July 20, 2006 relative to his failure to respond to the audit (request) of his 2005 continuing education documents for his 2006 NH license to practice pharmacy.

Mr. Atoui was not present for the hearing nor did he communicate with the Board to provide any reason for his absence. Accordingly, as indicated in the *Notice of Hearing*, the adjudicatory proceeding was conducted in *absentia*.

Motion (Petrin/Manoukian) to revoke Mr. Atoui's NH license No. 2926 effective immediately. Voted (unanimous).

b. **INDANA, Veera**

Pomona, NY

-NH License No. 3370

-Case File: ROI 54/06

The Board reviewed the *Notice of Hearing* issued to Mr. Indana on July 20, 2006 relative to his failure to respond to the audit (request) of his 2005 continuing education documents for his 2006 NH license to practice pharmacy.

Mr. Indana appeared before the Board and did present satisfactory certification/documentation of completion of his 2005 continuing education for 2006 license renewal. Mr. Indana had moved and not provided his new address to the Board which resulted in his non-response to several Board notices.

Motion (Keans/Petrin) to dismiss, with prejudice, the complaint against Mr. Indana. Voted (unanimous).

B. Pharmacy Technicians

1. Voluntary Surrender

a. **Omalley, Cristin M.**

Nottingham, NH

-NH Registration No. PT2251

-Case File: ROI 62/06

Motion (Manoukian/Hayes) to accept the *Voluntary Surrender* of pharmacy technician registration No. PT2251 issued to Cristin M. Omalley effective immediately. Voted (unanimous).

C. Pharmacy

1. New

(a) WALGREENS #10410

274 Dells Road
Littleton, NH 03561

Pharmacist-In-Charge: **Kerri A. Vallante, R.Ph., PharmD**
NH Pharmacist License No. 3444

Owner/Corporate Office/Supervisor: **Leo J. Lariviere, R.Ph.**
Pharmacy Supervisor

Application complete.

Motion (Keans/Manoukian) granting a temporary permit to Walgreens #10410 located at 274 Dells Road, Littleton, NH based upon successful completion of the primary inspection, and issuance of the original permit upon successful completion of the secondary inspection pursuant to Ph 305.02. Voted (unanimous).

(b) TARGET PHARMACY T-2182

11 Andrews Road
Somersworth, NH 03878

Pharmacist-In-Charge: **David Chase, R.Ph.**
NH Pharmacist License No. 3486

Owner/Corporate Office/Supervisor: **John Gregg**
Area Pharmacy Manager

Application complete.

Motion (Keans/Manoukian) granting a temporary permit to Target Pharmacy T-2182 located at 11 Andrews Road, Somersworth, NH based upon successful completion of the primary inspection, and issuance of the original permit upon successful completion of the secondary inspection pursuant to Ph 305.02. Voted (unanimous).

2. Change of Ownership

(a) NEW ENGLAND HOME THERAPIES, INC.

40 Terrill Park Drive
Concord, NH 03301

Pharmacist-In-Charge: **T. Shawn McCormick, R.Ph.**
NH Pharmacist License No. 2331
Owner/Corporate Office/Supervisor: **Mary Jane Graves**
VP & CFO

No change in location, PIC, professional staff or Tax ID number.

Application complete.

Motion (Bowersox/Manoukian) to approve the change of ownership of New England Home Therapies, Inc. located at 40 Terrill Park Drive, Concord, NH and to grant licensure effective on date of ownership transfer. Voted (unanimous).

3. Request for Waiver

The following pharmacies requested a waiver of Ph 303.02(k) relative to security provisions, for delivery of prescription drugs, not addressed in the guidelines established by the Board on August 17, 2005. This item was tabled, for further consideration, by the Board at its May 17, 2006 meeting.

- (a) **BROOKS PHARMACY #482**
24 Fort Eddy Road
Concord, NH 03301
- (b) **CVS PHARMACY #0723**
633 Amherst Street
Nashua, NH 03063
- (c) **RITE AID PHARMACY #1397**
53 Church Street
Kingston, NH 03848
- (d) **RITE AID PHARMACY #3744**
50 South Main Street
Wolfeboro, NH 03894
- (e) **RITE AID PHARMACY #4794**
41 Carroll Street
Pittsfield, NH 03263

On June 21, 2006, motion (Keans/Petrin) authorizing a moratorium on the granting of any further waivers of Ph 303.02(k), including the above petitioners, until the Board is able to obtain additional information. Motion (Passed).

Annotations: The Board directed that status quo will be maintained for those pharmacies that have already been inspected and granted waivers.

The Board directed that the conditional waiver granted to CVS Pharmacy #593 (15 Crystal Avenue, Derry, NH) be revoked immediately.

This item was taken from the table and was moved by the following motion:

Motion (Manoukian/Hayes) to deny the requested waiver for those pharmacies listed above. Once the pilot program is concluded and reviewed by the Board in January 2007, the Board may resume the granting of waivers to those pharmacies who comply with the guidelines (as may be amended) established by the Board on August 17, 2005. Voted (unanimous).

IV. CONTINUING EDUCATION

A. The following CE program was reviewed and approved:

Program No. 30-06-L003

“NADDI New England Training Conference”

Dates: March 23-24, 2006
Location: Hyatt Regency – Newport, RI
Submitted by: Peter A. Grasso, R.Ph.
Anthony Grasso, R.Ph.
Janet Nadeau-Leavitt, R.Ph.

Motion (Petrin/Manoukian) to approve CE Program No. 30-06-L003 for 1.0 CEU's (10 contact/live hours). Voted (unanimous).

B. The Board reviewed the following request for waiver of certain continuing education requirements for 2007 renewal of pharmacist license from:

NOLIN, Debra M.
Milton Mills, NH
NH License No. R1589

Ms. Nolin requested a waiver of didactic requirements according to the provisions of Ph 403.08 of the NH Code of Administrative Rules.

Motion (Petrin/Hayes) to grant a waiver of didactic requirements according to the provisions of Ph 403.08 for 2007 license renewal provided that Ms. Nolin shall complete at least 15-hours of home-study, pharmacy related continuing education during calendar year 2006. Voted (unanimous).

V. COMPLIANCE UNIT

Activity Report

- August 2006

Motion (Manoukian/Hayes) to accept the report as submitted. Voted (unanimous).

VI. NEW BUSINESS

A. Centralized Prescription Processing

The Board is in the process of “finalizing” proposed rules to implement centralized prescription processing. The Board directed staff to aggregate stakeholder comments and recommendations and to craft proposed rules for final review at a future meeting of the Board.

B. NACDS Pharmacy & Technology Conference – August 2006

Commissioner Genovese presented a report to the Board outlining her attendance at business and educational sessions available at the Conference which was held in San Diego, CA. The report (as attached) is a component of these Minutes.

The meeting was recessed at 12:31 P.M.

A non-public session was called (Manoukian/Petrin) at 12:35 P.M. with Commissioners Bowersox, Genovese, Hayes, Keans, Manoukian, and Petrin present.

Discussions and/or decisions occurring during this non-public (confidential) session were according to RSA 91-A:3, I & II and involved information pursuant to ongoing investigations as reported by the Board's Compliance Investigator(s) and/or the Office of the Attorney General, the disclosure of which would likely adversely affect a person's reputation and/or would render the Board's proposed action ineffective.

The non-public session was adjourned at 1:12 P.M.

VII. ADJOURNED 1:15 P.M.

Respectfully submitted,

Sandra B. Keans
Secretary
FOR THE BOARD